



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

March 13, 2007

IN REPLY PLEASE

REFER TO FILE: **MP-6**
22.041

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**LIVE OAK WASH - PARCEL 105
GRANT OF EASEMENT - CITY OF LA VERNE
SUPERVISORIAL DISTRICT 5
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Acting as a responsible agency pursuant to the California Environmental Quality Act (CEQA), consider the enclosed Negative Declaration, which was prepared and adopted by the City of La Verne; find that the granting of the recommended easement is within the scope of the La Verne Wellhead Treatment Program project; find that the project will not have a significant effect on the environment; find that the Negative Declaration reflects the independent judgment of the County; and approve the Negative Declaration.
2. Find that the proposed grant of an easement for a 16-inch waterline over Live Oak Wash, Parcel 105, from the Los Angeles County Flood Control District to the City of La Verne, and its subsequent use of said easement, will not interfere with the use of Live Oak Wash for any purpose of the District.
3. Approve the grant of an easement for waterline purposes from the Los Angeles County Flood Control District to the City of La Verne, within Live Oak Wash, Parcel 105 (612± square feet), for \$5,000. Parcel 105 is located at Live Oak Wash on the west side of Williams Avenue, south of Bowdoin Street, in the City of La Verne.

4. Instruct the Chairman to sign the enclosed Easement document and authorize delivery to the Grantee.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This action will allow the District to grant an easement in Live Oak Wash, Parcel 105, to the City of La Verne for the construction of a 16-inch waterline crossing over Live Oak Wash.

The City requested the easement in connection with its waterline project. The granting of this easement is not considered adverse to the District's purposes. Moreover, the instrument reserves paramount rights for the District's interest.

Implementation of Strategic Plan Goals

This action meets the County Strategic Plan Goal of Fiscal Responsibility. The revenue from this transaction will be used for flood control purposes.

FISCAL IMPACT/FINANCING

The proposed \$5,000 selling price represents the market value of the easement. This amount has been paid and deposited into the Flood Control District Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The granting of this easement will not hinder the use of the channel for possible transportation, utility, or recreational corridors. The enclosed Easement has been approved by County Counsel and will be recorded.

ENVIRONMENTAL DOCUMENTATION

On January 22, 2002, the City of La Verne adopted the Negative Declaration for the La Verne Wellhead Treatment Program project and filed a Notice of Determination for the project with the County in accordance with the requirements of Section 21152 of the California Public Resources Code.

Under CEQA, the County is a responsible agency whose discretionary approval of the project is required in order for the City to carry out the project. As a responsible agency, your Board must consider and adopt the Negative Declaration prepared by the City of La Verne before the project is approved and the recommended easement is granted.

The Honorable Board of Supervisors
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IMPACT ON CURRENT SERVICES (OR PROJECTS)

None.

CONCLUSION

Enclosed are an original and one duplicate of the Easement document. Please have the original and duplicate signed by the Chairman and acknowledged by the Executive Officer of the Board. Please return the executed original to Public Works and retain the duplicate for your files.

One adopted copy of this letter is requested.

Respectfully submitted,

DONALD L. WOLFE
Director of Public Works

MQ:psr
P6:\BD LTR LIVE OAK WASH

Enc. 2

cc: Auditor-Controller (Accounting Division - Asset Management)
Chief Administrative Office
County Counsel

DUPLICATE

RECORDING REQUESTED BY
AND MAIL TO:

City of La Verne
3660 D Street
La Verne, CA 91750

Space Above This Line Reserved for Recorder's Use

THIS DOCUMENT IS EXEMPT FROM DOCUMENTARY TRANSFER TAX PURSUANT TO
SECTION 11922 OF THE REVENUE & TAXATION CODE.

THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT TO SECTION
27383 OF THE GOVERNMENT CODE.

Assessor's Parcel Number:
8666-020-901 (Portion)

EASEMENT

For a valuable consideration, receipt of which is hereby acknowledged, the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic (hereinafter referred to as DISTRICT), does hereby grant to the CITY OF LA VERNE, a municipal corporation (hereinafter referred to as CITY), an easement for waterline purposes, in, on, over, under, or across the real property in the City of La Verne, County of Los Angeles, State of California, described in Exhibit A attached hereto and by this reference made a part hereof.

Subject to all matters of record and to the following reservation and conditions, which CITY, by the acceptance of this Easement and/or the exercise of any of the rights granted herein, agrees to keep and perform, viz:

1. DISTRICT reserves the paramount right to use said land for flood control purposes.
2. CITY agrees that it will not perform or arrange for the performance of any construction or reconstruction work in, on, over, under, or across the land herein described until plans and specifications for such construction or reconstruction work shall have first been submitted to and been approved in writing by the Chief Engineer of the Los Angeles County Flood Control District (hereinafter referred to as Chief Engineer), including, without limitation, in the form of a permit that may be required by the Chief Engineer. Such approval by DISTRICT shall not be interpreted or inferred as an endorsement or approval as to the design, accuracy, correctness, or authenticity of the information shown on the submitted plans and specifications. Furthermore, such approval cannot be relied upon for any other purpose or by any third party for any reason whatsoever. The CITY shall be responsible for operating and maintaining improvements it constructs or reconstructs on this easement, and the DISTRICT does not accept ownership or responsibility for said improvements.
3. The CITY remains subject to requirements imposed by the Chief Engineer for construction or reconstruction of improvements on the easement, including, without limitation, pursuant to the DISTRICT's permits required by the Chief Engineer.

File with: **LIVE OAK WASH 105**
22-RW 6
S.D. 5
M0623003

4. CITY agrees that it shall indemnify and save harmless DISTRICT, its officers, agents, and/or employees, from any and all liability, loss, or damage to which DISTRICT, its officers, agents, and employees may be subjected as the result of any act or omission by CITY, its officers, agents, or employees, arising out of the exercise by CITY, its officers, agents, or employees, of any of the rights granted to it by this instrument.
5. It is expressly understood that DISTRICT will not be called upon to construct, repair, maintain, or reconstruct any structure or improvement to be erected or constructed pursuant to this Easement.
6. The provisions and agreements contained in this Easement document shall be binding upon CITY, its successors, and assigns.

To the extent any lawful assessment be levied pertaining to the area to which this easement applies and to the extent that the assessment is based on the structures and improvements being constructed, under the authority of this Easement document, and provided further that the assessment be levied following CITY's exercise of these easement rights to construct such structures and improvements, CITY agrees to pay on behalf of DISTRICT that part of any such assessment levied against DISTRICT, which is based on the value contributed to that area by CITY's said improvements.

Dated _____

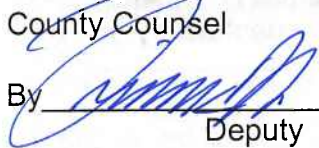
LOS ANGELES COUNTY FLOOD CONTROL DISTRICT,
a body corporate and politic

By _____
Chairman, Board of Supervisors of the
Los Angeles County Flood Control District

(LACFCD-SEAL)

APPROVED AS TO FORM

RAYMOND G. FORTNER, JR.
County Counsel

By  _____
Deputy

ATTEST:

SACHI A. HAMAI, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By _____
Deputy

KR:bw

P:\MPM\WORDPRO\TITLE\CONF\KR-ELIVEOAK105.DOC

NOTE: Acknowledgment form on reverse side.

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code that authorized the use of facsimile signatures of the Chairman of the Board on all papers, documents, or instruments requiring the Chairman's signature.

The undersigned hereby certifies that on this ____ day of _____, 20____, the facsimile signature of _____, Chairman of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, was affixed hereto as the official execution of this document. The undersigned further certifies that on this date a copy of the document was delivered to the Chairman of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.

In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.

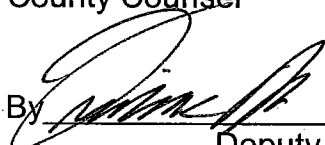
SACHI A. HAMAI, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By _____
Deputy

(LACFCD-SEAL)

APPROVED AS TO FORM

RAYMOND G. FORTNER, JR.
County Counsel

By 
Deputy

APPROVED as to title and execution, _____, 20____.
DEPARTMENT OF PUBLIC WORKS Mapping & Property Management Division
Supervising Title Examiner
By _____

<p align="center">CERTIFICATE OF ACCEPTANCE</p> <p>This is to certify that the interest in real property conveyed by the deed or grant herein, dated _____, from the Los Angeles County Flood Control District, a body corporate and politic, to the City of La Verne, a municipal corporation, is hereby accepted pursuant to authority conferred by Resolution No. _____, of the City Council of the City of La Verne, adopted on _____, and the grantee consents to the recordation thereof by its duly authorized officer.</p> <p>Dated _____</p> <p>By _____</p>
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EXHIBIT A

File with: **LIVE OAK WASH 105**

22-RW 6

A.P.N. 8666-020-901(por)

T.G. 570 (J7)

I.M. 144-357

S.D. 5

M0623003

LEGAL DESCRIPTION

(Grant of easement for waterline purposes)

That portion of that certain parcel of land in Lot 1, Replat of E. T. Palmers Subdivision, as shown on map recorded in Book 60, page 99, of Miscellaneous Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, described as Parcel No. 105 in a Final Order of Condemnation, had in Superior Court Case No. 815267, a certified copy of which is recorded in Book D2894, page 107, of Official Records, in the office of said Registrar-Recorder/County Clerk, within a strip of land 10.00 feet wide, the easterly sideline of said strip being described as follows:

Beginning at the northeasterly corner of Lot 17, Tract No. 36852, as shown on map filed in Book 961, pages 59 and 60, of Maps, in the office of said Registrar-Recorder/County Clerk; thence North 0° 23' 37" West along the northerly prolongation of the easterly line of said last mentioned lot, a distance of 60.94 feet to the southerly line of Bowdoin Street, as said southerly line is shown on said map of Tract No. 36852.

The westerly sideline of the above-described 10-foot-wide strip of land shall be prolonged at the beginning and at the end thereof so as to terminate in the northerly line of said Lot 17 and the southerly line of said Bowdoin Street, respectively.

Containing: 612 ± square feet.

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the Land Surveyors Act.

APPROVED AS TO DESCRIPTION

COUNTY OF LOS ANGELES

By

SUPERVISING CADASTRAL ENGINEER II
Mapping and Property Management Division